IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12737 of 2005

Between:

Smt.S.Lakshmi W/o.Mallesh,
R/o.No.935, Siddiquinagar,
Sherlingampally Mandal
RangaReddy District

..... PETITIONER

AND

1 The Mandal Revenue Officer,
Sherlingampally Mandal,
Ranga Reddy District
2 The Inspector of Police,
Madhapur Police Station,
Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus to declare the inaction of the respondents without initiating any proceedings basing on the complaint Dt.18.1.2005 filed by the petitioner and without taking any action against Mahabooba Bee is as illegal, arbitrary and against to principles of natural justice and pass such other order or orders.

Counsel for the Petitioner: MR.KILARU KHADER BABA

Counsel for the Respondent No.1: GP FOR REVENUE

Counsel for the Respondent No.2:

The Court at the admission stage made the following ORDER:

The petitioner claims to be a landless poor person and is said to have been assigned 100 sq. yards of house site ie. Plot No.544 in sy.No.34 of Gachibowli village, in 1984. Since then, she has been in possession and enjoyment of the same. While so, in 2001, the revenue authorities allotted new plot No.935 to her. It is alleged that the Municipal ward Councilor viz. Lakshmi along with her husband and henchmen came to the plot of the petitioner in the first week of January 2005 and directed her to give 50 sq. yards of house plot to Mahabooba Bee, on the ground that she is a landless poor person. The petitioner approached the second respondent seeking protection, but he advised her to approach the first respondent. On the instructions given by the first respondent, she gave a written complaint also. However, no action has been taken against the said persons. Hence, she was constrained to approach this Court by way of filing the writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Initially, in 1984, the petitioner was allotted plot No.544 in Sy.No.34 of Gachibowli and later in 2001, she was allotted plot No.935. She constructed a pucca house therein and has been in possession and enjoyment of the same. The complaint of the petitioner is that when the Municipal Ward Councilor, viz. Lakshmi, along with her husband and henchmen, came and threatened her to give 50 sq. yards of house site in favour of Mahabooba bee, she submitted a written complaint to the first respondent, but no action has been taken so far. Once the land is assigned by the revenue authorities and possession is also delivered to the petitioner, it is her duty to protect the same. When the third

parties are interfering with the peaceful possession and enjoyment of the petitioner over the land assigned to her, the only remedy available to her is to approach the competent civil Court by filing a suit and obtain an order of injunction. In view of the above, I see no reasons to entertain the writ petition.

The writ petition is accordingly dismissed at the stage of admission. There shall be no order as to costs.

16.06.2005

ksld

To

1 The Mandal Revenue Officer,
Sherlingampally Mandal,
Ranga Reddy District
2 The Inspector of Police,
Madhapur Police Station,
Ranga Reddy District.

3 Two CCs to G.P. for Revenue, High Court of A.P. Buildings,
Hyderabad (OUT)

4 Two CD Copies